IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9756 OF 2004

Droupati Balaso Gurav & Ors. .. Petitioners.
Vs.
Ananda Bhauso Gurav & Ors. .. Respondents.

Mr.A.B.Borkar for the petitioners.

CORAM : D.B.BHOSALE, J.

DATED : 15TH DECEMBER, 2004

P.C.:

. Heard Mr.Borkar, learned counsel for the petitioners.

2. Mr.Borkar, learned counsel for the petitioners submits that he has instructions not to press this writ petition and the petitioners would be satisfied if they are given liberty to raise all the contentions in substantive appeal that would be filed in the event the application seeking probate, filed by the respondents, is allowed. I find the request of learned counsel for the petitioners reasonable. Hence I pass the following order:

(a) The writ petition is disposed of as not pressed.

(b) It is open for the petitioners to raise all the contentions in appeal that would be filed by the petitioners in the event of issuance of probate in favour of the respondents on the basis of Will dated 15.10.1986.

(c) All contentions on merits are left open.

. The writ petition is disposed of.

(D.B.Bhosale, J.)